

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PHILIP MORRIS USA INC.,)
Plaintiff,) C.A. No. 08-028-SLR
v.)
TABOCA AS and NORDIC AMERICAN)
SMOKELESS INC. f/k/a TABOCA USA INC.,)
Defendants.)

STIPULATION AND ORDER

Plaintiff Philip Morris USA Inc. (“PM USA”) and Defendant Taboca AS hereby stipulate, subject to the approval and order of the Court, to a further extension until Monday, July 28, 2008 for PM USA to file its answering memorandum in opposition to Taboca AS’ Motion to Dismiss (D.I. 15).

ASHBY & GEDDES

/s/ Tiffany Geyer Lydon

Steven J. Balick (# 2114)
John G. Day (# 2403)
Tiffany Geyer Lydon (# 3950)
500 Delaware Avenue, 8th Floor
Wilmington, DE 19801
(302) 654-1888
sbalick@ashby-geddes.com
jday@ashby-geddes.com
tlydon@ashby-geddes.com

Attorneys for Philip Morris USA Inc.

Dated: July 7, 2008

McCARTER & ENGLISH, LLP

/s/ Andrew S. Dupre

David A. White (# 2644)
Andrew S. Dupre (# 4621)
Theodore W. Annos (# 4823)
Renaissance Centre
405 N. King Street, 8th Floor
Wilmington, DE 19801
(302) 984-6300
dwhite@mccarter.com
adupre@mccarter.com
tannos@mccarter.com
Attorneys for Taboca AS and Nordic American Smokeless Inc.

SO ORDERED this ____ day of July, 2008.

United States District Judge